

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN**

**&**

**THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR**

**FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929**

**WA.No. 2254 of 2005()**

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**AGAINST THE JUDGEMENT/ORDER IN OP.19472/2002 Dated 02/09/2005**

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**APPELLANT: PETITIONER:**

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**T.P. SREEDEVI, AGED 58 YEARS,  
LECTURER IN MATHEMATICS (RETD.),  
THIAGARAJAR POLYTECHNIC, RESIDING AT JAYA NIVAS,  
ALAGAPPANAGAR P.O., THRISSUR DISTRICT.**

**BY ADV. SRI.M.SASINDRAN  
SRI.TOJAN J. VATHIKULAM**

**RESPONDENTS:**

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- 1. STATE OF KERALA, REPRESENTED BY  
ITS SECRETARY TO GOVERNMENT, DEPARTMENT  
OF HIGHER EDUCATION, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM.**
- 2. THE DIRECTOR OF TECHNICAL EDUCATION,  
THIRUVANANTHAPURAM.**
- 3. THE THIAGARAJAR POLYTECHNIC,  
P.O. ALAGAPPANAGAR, THRISSUR POST,  
REPRESENTED BY ITS PRINCIPAL.**

**BY GOVERNMENT PLEADER SRI.SANDESH RAJA**

**THIS WRIT APPEAL HAVING BEEN FINALLY HEARD  
ON 16/11/2007 , THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**K.S.RADHAKRISHNAN & T.R.RAMACHANDRAN NAIR, JJ.**

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**W.A.No.2254 OF 2005**  
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Dated this the 16<sup>h</sup> day of November, 2007

**JUDGMENT**

Radhakrishnan, J.

Heard learned counsel for the petitioner and the learned Government Pleader.

Case of the petitioner was not properly taken up by the Government. Petitioner has nothing more to say than what is stated in Ext.P14. Petitioner has relied on the various Government orders in support of his contention. Reliance is also placed on Exts. P11 and P12 by which identical benefits were given to similarly situated persons. Learned Government Pleader submits the fact that benefits were extended to similarly situated persons would not automatically mean that petitioner is also entitled to the similar benefit. We feel that these are all matters to be considered by the Government since all the matters were not placed before it and Government had not properly examined Ext.P14 representation referred to in Ext.17 order. We feel that it would be appropriate that a direction be given to the Government to re-consider the matter afresh with reference to

Ext.P16 judgment and other Government orders in force, with notice to the parties within a period of three months from the date of receipt of a copy of this judgment. The order of the learned Single Judge is set aside.

**K.S.RADHAKRISHNAN  
JUDGE**

**T.R.RAMACHANDRAN NAIR  
JUDGE**

SV.